

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Jean-Louis Henri Dasseux
Appln. No.: 10/596,047
Filed: June 21, 2006
For: KETONE COMPOUNDS
AND COMPOSITIONS FOR
CHOLESTEROL
MANAGEMENT AND
RELATED USES

Examiner: Solola, Taofiq A.

Art Unit: 1625

Confirmation No.: 1170

Attorney Docket No: 13657-030

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(c), Applicant hereby cites the following reference(s):

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
US3441605	04/29/1969	Stephen Blake
US3773946	11/20/1973	Paul L. Creger
US3930024	12/30/1975	Paul L. Creger
US4287200	09/01/1981	Yutaka Kawamatsu
US4584321	04/22/1986	Elso Manghisi, et al.
US4613593	09/23/1986	Isao Yamatsu, et al.
US4634719	01/06/1987	Naotake Takaishi, et al.
US4689344	08/25/1987	Jacob Bar-Tana
US4711896	12/08/1987	Jacob Bar-Tana, et al.
US5502198	03/26/1996	Joseph A. Picard, et al.
US5504073	04/02/1996	Reynold Homan
US5578639	11/26/1996	Reynold Homan
US5633287	05/27/1997	Helen T. Lee, et al.
US5648387	07/15/1997	Charles Larry Bisgaier, et al.
	05/12/1998	Charles Larry Bisgaier, et al.
US5750569		
US5756344	05/26/1998	Haruo Onda, et al.

US5756544	05/26/1998	Charles Larry Bisgaier, et al.
US5783600	07/21/1998	Charles Larry Bisgaier, et al.
US5968963	10/19/1999	Reynold Homan
US5981595	11/09/1999	Joseph A. Picard, et al.
US6017905	01/25/2000	William Howard Roark, et al.
US6093719	07/25/2000	Thomas M. A. Bocan
US6093744	07/25/2000	Helen T. Lee, et al.
US6124309	09/26/2000	Thomas M. A. Bocan
US6143755	11/07/2000	Thomas M. A. Bocan
US6699910	03/02/2004	Jean-Louis Henri Dasseux, et al.
US2003/0078239	04/24/2003	Jean-Louis Henri Dasseux, et al.

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
WO9630328	10/03/1996	PCT
WO9830530	07/18/1998	PCT
WO9900116	01/07/1999	PCT
WO0064911	11/02/2000	PCT
WO0146110	06/28/2001	PCT
WO0230860	04/18/2002	PCT

OTHER ART – NON PATENT LITERATURE DOCUMENTS
Acton et al., 1996, "Identification of Scavenger Receptor SR-BI as a high density lipoprotein receptor", <i>Science</i> 271:518-520
Badimon et al., 1992, "Role of high density lipoproteins in the regression of atherosclerosis", <i>Circulation</i> 86(Suppl. III):86-94
Barrans et al., 1996 "Pre-beta HDL: structure and metabolism", <i>Biochem. Biophys Acta</i> 1300:73-85
Bisgaier et al., 1998, "A novel compound that elevates high density lipoprotein and activates the peroxisome proliferator activated receptor", <i>J. Lipid Res.</i> 39:17-30; (1998)
Brown and Goldstein, 1990, "Drugs used in the treatment of hyperlipoproteinemias", In: <i>The Pharmacological Basis of Therapeutics</i> , 8th Ed., Goodman & Gilman, eds., Pergamon Press, Ch. 36, pp. 874-896
Bruce et al., 1998, "Plasma lipid transfer proteins, high-density lipoproteins, and reverse cholesterol transport", <i>Annu. Rev. Nutr.</i> 18:297-330
Dansky and Fisher, 1999, "High-density lipoprotein and plaque regression: the good cholesterol gets even better", <i>Circulation</i> 100:1762-1763
Decossin et al., 1997, "Subclasses of LpA-I in coronary artery disease: distribution and cholesterol efflux ability", <i>Eur. J. Clin. Invest.</i> 27:299-307
Fielding and Fielding, 1995, "Molecular physiology of reverse cholesterol transport", <i>J. Lipid Res.</i> 36:211-228
Gearing et al., 1993, "Interaction of the peroxisome-proliferator-activated receptor and retinoid X receptor", <i>Proc. Natl. Acad. Sci. USA</i> 90:1440-1444
Harris and Kletzien, 1994, "Localization of pioglitazone response element in the adipocyte fatty acid-binding protein gene", <i>Mol. Pharmacol.</i> 45:439-445
Heyman et al., 1992, "9-cis retinoic acid is a high affinity ligand for the retinoid X receptor", <i>Cell</i> 68:397-406

Hidaka and Fidge, 1992, "Affinity purification of the hepatic high-density lipoprotein receptor identifies two acidic glycoproteins and enables further characterization of their binding properties", <i>Biochem. J.</i> 284:161-167
Hirano et al., 1997, "Genetic cholesterol ester transfer protein deficiency is extremely frequent in the Omagari area of Japan. Marked hyperalphalipoproteinemia caused by CETP gene mutation is not associated with longevity", <i>Arterioscler. Thromb. Vasc. Biol.</i> 17:1053-1059
Issemann and Green, 1990, "Activation of a member of the steroid hormone receptor superfamily by peroxisome proliferators", <i>Nature</i> 347:645-650
Keller and Wahli, 1993, "Peroxisome proliferator-activated receptors-a link between endocrinology and nutrition", <i>TEM</i> 4:291-296
Keller et al., 1993, "Fatty acids and retinoids control lipid metabolism through activation of peroxisome proliferator-activated receptor-retinoid X receptor heterodimers", <i>Proc. Natl. Acad. Sci. USA</i> 90:2160-2164
Klewer et al., 1992, "Convergence of 9-cis retinoic acid and peroxisome proliferator signaling pathways through heterodimer formation of their receptors", <i>Nature</i> 358:771-774
Kurata et al., 1998, "A candidate high density lipoprotein (HDL) receptor, HB2, with possible multiple functions shows sequence homology with adhesion molecules", <i>J. Atheroscler. And Thromb.</i> 4:112-117
Lagrost et al., 1996, "Opposite effects of cholesterol ester transfer protein and phospholipid transfer protein on the size distribution of plasma high density lipoproteins. Physiological relevance in alcoholic patients", <i>J. Biol. Chem.</i> 271:19058-19065
Landschulz et al., 1996, "Regulation of scavenger receptor, class B, type I, a high density lipoprotein receptor, in liver and steroidogenic tissues of the rat", <i>J. Clin. Invest.</i> 98:984-995
Lazarow and Fujiki, 1985, "Biogenesis of peroxisomes", <i>Annu. Rev. Cell Biol.</i> 1:489-530
Levin et al., 1992, "9-cis retinoic acid stereoisomer binds and activates the nuclear receptor RXR α ", <i>Nature</i> 355:359-361
Nemali et al., 1988, "Comparison of constitutive and inducible levels of expression of peroxisomal β -oxidation and catalase genes in liver and extrahepatic tissues of rat", <i>Cancer Res.</i> 48:5316-5324
Parra et al., 1992, "A case-control study of lipoprotein particles in two populations at contrasting risk for coronary heart disease. The ECTIM Study", <i>Arterioscler. Thromb.</i> 12:701-707
Reaven, 1993, "Role of insulin resistance in human disease (syndrome X): an expanded definition", <i>Annu. Rev. Med.</i> 44:121-131
Reddy and Lalwani, 1983, "Carcinogenesis by hepatic peroxisome proliferators: evaluation of the risk of hypolipidemic drugs and industrial plasticizers to humans", <i>Crit. Rev. Toxicol.</i> 12:1-58
Rigotti et al., 1996, "Regulation by adrenocorticotrophic hormone of the in vivo expression of scavenger receptor class B type I (SR-BI), a high density lipoprotein receptor, in steroidogenic cells of the murine adrenal gland", <i>J. Biol. Chem.</i> 271:33545-33549
Robins and Fasulo, 1997, "High density lipoproteins, but not other lipoproteins, provide a vehicle for sterol transport to bile", <i>J. Clin. Invest.</i> 99:380-384
Staels and Auwerx, 1998, "Regulation of apo A-I gene expression by fibrates", <i>Atherosclerosis</i> 137(Suppl.):S19-S23
Tontonoz et al., 1994, "Adipocyte-specific transcription factor ARF6 is a heterodimeric complex of two nuclear hormone receptors, PPAR γ and RXR α ", <i>Nucl. Acids Res.</i> 22:5628-5634
Vamecq and Draye, 1989, "Pathophysiology of peroxisomal β -oxidation", <i>Essays Biochem.</i> 24:115-225
Nan F et al. "Dual Function Glutamate-Related Ligands: Discovery of A Novel, Potent Inhibitor of Glutamate Carboxypeptidase II Possessing mGluR3 Agonist Activity" <i>Journal of Medicinal Chemistry</i> 2000, 43:pp. 772-774

Applicant is enclosing Form PTO-1449 (three sheets), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

Applicant has calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicant has authorized charging the fee to a deposit account, as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

January 29, 2009

Date

/William R. Boudreaux/

William R. Boudreaux
(Reg. No. 35,796)